

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION

MDL No. 2804

THIS DOCUMENT RELATES TO:

Case No. 1:17-MD-2804

All Cases

Judge Dan Aaron Polster

**NOTICE OF THIRTY-EIGHTH AMENDED BANKRUPTCY COURT ORDER
GRANTING INJUNCTION AGAINST CONTINUATION OF PROCEEDINGS
AS TO RELATED PARTIES TO DEBTOR PURDUE PHARMA, L.P.
AND AFFILIATED DEBTORS**

Defendants David A. Sackler, Ilene Sackler Lefcourt, Kathe A. Sackler, Mortimer D.A. Sackler, Richard S. Sackler, Theresa Sackler, Rosebay Medical Company L.P., Rosebay Medical Company, Inc., Beacon Company, and Richard Sackler as alleged trustee of the alleged Trust for the Benefit of Members of the Raymond Sackler Family (collectively, the “**Sackler Parties**”)¹ submit this Notice following their previous Notice of Thirty-Seventh Amended Bankruptcy Court Order Granting Injunction filed September 9, 2024, ECF No. 5628.

1. On September 15, 2019, Purdue Pharma L.P. and several affiliated debtors (collectively, “**Purdue**” or “**Debtors**”) each filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York. The cases are jointly administered under the case captioned *In re Purdue Pharma L.P.*, Case No. 19-23649 (SHL) (Bankr. S.D.N.Y.) (the “**Purdue Bankruptcy Case**”).

¹ On October 14, 2019, Defendant Beverly Sackler passed away. See Suggestion of Death, *In re Purdue Pharma L.P.*, No. 19-23649 (SHL), ECF No. 301 (Bankr. S.D.N.Y. Oct. 14, 2019). On June 30, 2020, Defendant Jonathan Sackler passed away. See Suggestion of Death, *In re Purdue Pharma L.P.*, No. 19-23649 (SHL), ECF No. 1316 (Bankr. S.D.N.Y. June 30, 2020).

Plaintiffs in multiple member actions in this MDL Proceeding are creditors in the Purdue Bankruptcy Case, and the Debtors filed a Notice of Suggestion of Bankruptcy and Automatic Stay of Proceedings in this MDL Proceeding on September 16, 2019 (ECF No. 2609), notifying all Plaintiffs of the bankruptcy filing.

2. On November 6, 2019, the Bankruptcy Court in the Purdue Bankruptcy Case issued an order pursuant to 11 U.S.C. § 105(a) enjoining commencement or continuation of litigation against any Debtor or Related Party, as defined therein, through April 8, 2020. *See Second Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction, In re Purdue Pharma L.P.*, Case No. 12-23649 (SHL), Adv. Pro. No. 19-08289 (SHL), ECF No. 105 (Bankr. S.D.N.Y. Nov. 6, 2019) (the “**Preliminary Injunction**”). Since March 2020, there have been numerous extensions of the Preliminary Injunction.

3. The Sackler Parties are within the definition of Related Parties as defined in the Preliminary Injunction. Plaintiffs asserting claims against the Sackler Parties in this MDL Proceeding have been subject to the Preliminary Injunction, as amended, and those MDL member actions against the Sackler Parties are included on the schedule of enjoined cases.

4. Following the United States Supreme Court’s decision in *Harrington, U.S. Trustee, Region 2 v. Purdue Pharma L.P.*, No. 23-124, Slip Op. (June 27, 2024), the Bankruptcy Court entered an order extending the Preliminary Injunction, including as to claims against the Sackler Parties, through and including September 9, 2024. *See* July 16, 2024 Notice at ¶¶ 8-9, ECF No. 5526.

5. On September 6, 2024, the Bankruptcy Court entered orders regarding ongoing mediation efforts and extending the Preliminary Injunction through September 27, 2024. *See* September 9, 2024 Notice at ¶ 5, ECF No. 5528.

6. On September 27, 2024, the Bankruptcy Court entered further orders regarding ongoing mediation efforts and extended the Preliminary Injunction through November 1, 2024. See Thirty-Eighth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction at 13-14, *In re Purdue Pharma L.P., et al.*, Case No. 19-23649 (SHL), Adv. Pro. No. 19-08289, ECF No. 557 (Bankr. S.D.N.Y. Sept. 27, 2024), a copy of which is attached to this Notice as **Exhibit 1**; Second Amended Order Appointing Co-Mediators, *In re Purdue Pharma L.P., et al.*, Case No. 19-23649 (SHL), ECF No. 6749 (Bankr. S.D.N.Y. Sept. 27, 2024).

7. Notwithstanding the filing of this Notice, the Sackler Parties expressly preserve all of their defenses, including, but not limited to, lack of personal jurisdiction.

Respectfully submitted,

/s/ Stuart G. Parsell

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of October, 2024, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/ Stuart G. Parsell
Stuart G. Parsell (0063510)

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